

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad Armstrong

Docket No.: F2811

Serial No.: 10/773,025

Art Unit: 2629

Filed: February 4, 2004

Examiner: William Boddie

For: Image Controller

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Applicant wishes to bring to the attention of the United States Patent and Trademark Office the information noted on the enclosed form PTO/SB/08A that may be considered material to the examination of the above-identified application.

This Information Disclosure Statement (IDS) is submitted after the period specified in 37 C.F.R. § 1.97(c) and before payment of the issue fee. This IDS is also accompanied by:

- (1) The statement specified in 37 C.F.R. § 1.97(e)(2); and
- (2) The fee set forth in 37 C.F.R. § 1.17(p).

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

This Information Disclosure Statement comprises a Combined Petition for Panel Rehearing and Rehearing En Banc that was filed May 7, 2010 in the Court of Appeals for the Federal Circuit ("CAFC") for the appeal designated *Anascape Ltd. v. Nintendo of America Inc.*,

No. 2008-1500 ("the Nintendo Appeal"), which is an appeal from the case styled *Anascape, Ltd. v. Microsoft Corp., et al.* in the United States District Court for the Eastern District of Texas, Lufkin Division and assigned civil action number 9:06-CV-00158-RC ("the Anascape Litigation"). The Anascape Litigation involved a trial on infringement and validity issues regarding U.S. Patent No. 6,906,700, which shares a common priority application - U.S. Patent No. 6,222,525 - with the present application. This IDS is an update to the documents filed in the Anascape Litigation and the Nintendo Appeal, which have been submitted in previous IDS's for this application.

Respectfully submitted,

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May 19, 2010

Date

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